

**UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT**

No. 15-1063

SEVERN PEANUT CO., INC.;  
MEHERRIN AGRICULTURE & CHEMICAL CO.; and  
TRAVELERS PROPERTY CASUALTY COMPANY  
OF AMERICA,

Plaintiffs-Appellants,

v.

INDUSTRIAL FUMIGANT CO.; and  
ROLLINS INC.,

Defendants-Appellees.

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**MOTION FOR EXTENSION OF TIME  
TO FILE RESPONSE BRIEF**

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Pursuant to Fed. R. App. P. 26(b) and 27, and Local Rule 27(a), Defendants-Appellees, Industrial Fumigant Co. and Rollins Inc., with the consent of Plaintiffs-Appellants, Severn Peanut Co., Inc., Meherrin Agriculture & Chemical Co. and Travelers Property Casualty Company of America, respectfully move the Court for an extension of time of thirty (30) days within which to file and serve their Response Brief, up to and including May 27, 2015.

In support of this Motion, the parties show the Court the following:

1. Pursuant to the Briefing Order filed herein February 12, 2015, Defendants-Appellees' Response Brief is due to be filed on or before April 27, 2015.

2. The undersigned has numerous personal and professional out-of-town obligations during the month of April 2015 which will make it exceedingly difficult to complete Defendants-Appellees' Response Brief within the required time. The undersigned is also counsel for appellees to an appeal pending in the North Carolina Court of Appeals who also have a current briefing deadline in late April 2015.

3. The undersigned believes that a thirty (30) day extension of time, up to and including May 27, 2015, would allow sufficient time to prepare Defendants-Appellees' Response Brief.

4. The undersigned has conferred with counsel for Plaintiffs-Appellants, Severn Peanut Co., Inc., Meherrin Agriculture & Chemical Co. and Travelers Property Casualty Company of America, who consents to the requested extension.

WHEREFORE, Defendants-Appellees, Industrial Fumigant Co. and Rollins Inc., respectfully request that the Court allow them a thirty (30) day extension of time within which to file their Response Brief, up to and including May 27, 2015.

Respectfully submitted this the 31<sup>st</sup> day of March, 2015.

**POYNER SPRUILL LLP**

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INDUSTRIAL FUMIGANT CO.  
AND ROLLINS INC.*

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to all counsel and parties of record as follows:

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This the 31<sup>st</sup> day of March, 2015.

s/ Steven B. Epstein

Steven B. Epstein